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JUN 11 2007

REMARKS

In the Office Action dated April 11, 2007, the Examiner states that this application contains the following groups of inventions that are not so linked as to form a single general inventive concept under PCT Rule 13.1.

Group 1	Claims 1-4, 7-11, 15-22, 24, 27, 28, 42, 44, 46, 48 and 50-52, drawn to a polypeptide comprising the amino acid sequence of SEQ ID NO: 3 or SEQ ID NO: 4. If this group is elected, further restriction for the election of one invention is required. Applicants must elect one amino acid for each one of positions 1-4 in SEQ ID NO: 4. This election will be applied to claims 2, 3, 4, 70-11, 15-22, 28, 42, 44, 46, 48 and 50-52, and these claims will be examined or withdrawn in accordance with this election.
Group 2	Claims 1, 5, 6, 12-14, 23, 38-41, 43, 45, 47 and 49, drawn to a polypeptide comprising the amino acid sequence of SEQ ID NO: 3 or SEQ ID NO: 5. If this group is elected, further restriction for the election of one invention is required. Applicants must elect one amino acid for each one of positions 1-4 in SEQ ID NO: 5. This election will be applied to claims 5, 6, 12-14, 23, 38-41, 43, 45, 47 and 49, and these claims will be examined or withdrawn in accordance with this election.
Groups 3-155	Claim 25, drawn to one polypeptide in the set of SDEQ ID NOS: 13-165. If this group is elected, further restriction for the election of one invention is required. Applicants must elect one of the polypeptides listed in Table 2.
Groups 156-205	Claim 26, drawn to one polypeptide in the set of SEQ ID NOS: 166-215. If this group is elected, further restriction for the election of one invention is required. Applicants must elect one of the polypeptides listed in Table 3.
Group 206	Claim 31, drawn to a method of making a medicament for the treatment of urinary disease, cardiovascular disease, mood disorder, pain or inflammation.
Group 207	Claims 33-35 and 37, drawn to a method of treating a disease: urinary disease, cardiovascular disease, mood disorder, pain or inflammation.

The Examiner alleges that the inventions listed as Groups 1-207 do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features. The Examiner alleges that the specification describes that each claimed polypeptide is different from the other polypeptides. Therefore, the Examiner alleges that no technical feature is shared by all of the groups presented; and thereby no special technical feature is present in the instant claims that represents an advance over the prior art. As such, the Examiner alleges that each invention lacks unity with any of the others.

In addition, the Examiner alleges that the claims are drawn to multiple products and processes. For example, the Examiner alleges that because a corresponding special technical feature is not present, Groups 1 and 206 cannot be considered to have unity of invention.

The Examiner states that if one of Groups 1-205 is elected, Applicants must elect one polypeptide from among those claimed as indicated in the different groups above. The Examiner contends that each polypeptide sequence is a distinct invention requiring separate searches.

Moreover, the Examiner states that if Applicants elect Group 206 or Group 207, Applicants must elect one of the diseases listed in claim 31 or claim 35, respectively.

In order to be fully responsive to the Examiner's requirement for restriction, Applicants provisionally elect, with traverse, the subject matter of Group 2, claims 1, 5, 6, 12-14, 23, 38-41, 43, 45, 47 and 49, drawn to a polypeptide comprising the amino acid sequence of SEQ ID NO: 3 or SEQ ID NO: 5 and amino acid positions 1-4 in SEQ ID NO: 5 as follows: Xaa1: pyroglutamate (pGlu), Xaa2: deletion, Xaa3: glycine (Gly) and Xaa4: valine (Val), respectively. However, pursuant to 37 C.F.R. §§1.111 and 1.143, Applicants hereby traverse the Examiner's requirement for restriction and request reconsideration thereof in view of the following remarks.

Applicants respectfully submit that a requirement for restriction presupposes an analysis of the subject application in light of the rules governing this practice, i.e., 37 C.F.R. §1.499 and PCT Rules 13.1 and 13.2. PCT Rule 13.1, first sentence, states: "The international application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept ('requirement of unity of invention')." (Emphasis added.) PCT Rule 13.2 states: "The expression "technical features' shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art." (Emphasis added.)

Applicants submit that the present invention recognizes that certain part of χ-conotoxin (e.g., MrIA) is essential for its biological activity (e.g., inhibiting neuronal amine transporters of neurotransmitters), and the activity can be enhanced by making particular modification to its primary structure. This unique recognition provides the basis for developing therapeutic modified polypeptides for inhibiting neuronal amine transporters of neutrotransmitters and using the peptides in protocols for prophylaxis and treatment of diseases.

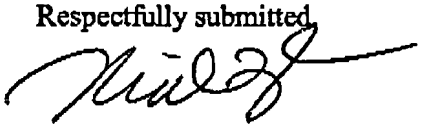
Applicants respectfully submit that all of the claims presented in the present application share the technical feature of enhancing χ-conotoxin (e.g., MrIA) activity by modifying the polypeptide at particular position(s) and methods for treating disease by employing such modified polypeptide. It is respectfully submitted that the present claims, when considered as a whole, define a contribution over the prior art, and should be examined in the same application.

Since Applicants have not elected Group 206 or 207, the requirement for species election is moot.

Finally, Applicants respectfully submit that a determination to make the pending restriction requirement final must evidence the patentable distinctness of all defined 207 groups, one from another, as presented by the Examiner.

Accordingly, it is respectfully submitted that claims 1-28, 31, 33-35 and 37-52 satisfy the requirements for unity of invention. Applicants respectfully urge that the Examiner reconsider and withdraw the requirement for restriction and provide an action on the merits with respect to all the claims.

Respectfully submitted,



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